

## LAW OFFICES

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Date: July 27, 2004

Time: 2:30 am

Number of pages (including this sheet): 18

To: United States Patent and Trademark Office Attention: Examiner NGUYEN, D.

Facsimile Number: 703-872-9306

From: Albert S. Michalik

RE: Serial No. 09/354,970, Attorney Docket No. 1610

In re Application of:

DOUCEUR et al.

Group Art Unit: 2154

Serial No.: 09/354,970

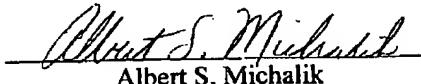
Examiner: NGUYEN, D.

Filed: July 16, 1999

For: Method and System for Regulating Background  
Tasks Using Performance MeasurementsCERTIFICATE OF TRANSMISSION

I hereby certify that this Amendment and Amendment Transmittal are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

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Albert S. Michalik

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PATENT  
Attorney Docket No. 1610

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Group Art Unit: 2154

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AMENDMENT TRANSMITTAL

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith are the following papers in the above-identified application:

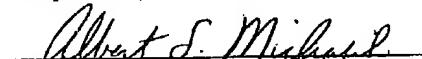
1. Amendment w/ Certificate of Transmission (15 pgs)

The fee for additional claims has been calculated as follows:

Claims Remaining After Amendment	Minus	Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
45		44	Equals	1	\$18
5	Minus	3	Equals	2	\$86
Total Additional Fee					\$190

- Please charge the Deposit Account No. 50-1618 the total amount of \$190.00. A duplicate of this Transmittal is attached for fee processing purposes.
- If any additional fee is required in connection with this response, please charge Deposit Account No. 50-1618.
- If any overpayment has been made in connection with this response, please credit Deposit Account No. 50-1618.

Respectfully submitted,

  
Albert S. Michalik, Reg. No. 37,395  
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PATENT  
Attorney Docket No. 1610

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DOUCEUR et al.  
APPLICATION NO.: 09/354,970  
FILED: July 16, 1999  
FOR: METHOD AND SYSTEM FOR  
REGULATING BACKGROUND TASKS USING  
PERFORMANCE MEASUREMENTS

EXAMINER: D. Nguyen  
ART UNIT: 2154  
CONF. NO: 5820

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Amendment

OFFICIAL

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

This communication is a response to the Office action dated June 25, 2004 (hereinafter "the Office action"). Please consider the following amendments and appended remarks, which applicants submit places the case in condition for allowance.